

AGENDA
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
REGULAR MEETING
NOVEMBER 12, 2015 7:30 pm

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINE LAW and proper notice has been given to the Courier; also, the Agenda has been posted in Town Hall, Board Office and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

Members: Mr. Sullivan, Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Siburn,
Mr. Nappi, Mr. Delia, Mr. Sylvester and Mr. Mustacchi

Mr. Bernstein, Board Attorney

Roll Call:

Informal Review of Submitted Applications:

App.#12-15: Anco Environmental Services, Inc., 40 Russo Place, Bl.1901, L. 40

Anco Environmental Services, Inc. ("Anco") is a company involved in oil tank removal and installation and also operates as a clean-up contractor. The property is also used for vehicle and equipment repair and as a storage yard for equipment. The fuel oil that is removed is retained in a tanker truck at 40 Russo Place and then sold. A company related to Anco is engaged in the cleaning and servicing of oil burners. The owner of the property was cited for noncompliance of Section 17.1.1 – "Use of land without receiving all required permits of approval." A zoning permit was not issued for the current use. The applicant is requesting approval to continue to operate its business – which is not an approved use – and would like to obtain all variances needed (including relief from Sections 17.1.1 "Prohibitions," Section 6.3.6A "Permitted Principal Uses," Section 6.3.6B "Permitted Accessory Uses," Section 6.1.1B "Schedule of General Regulations," Section 6.4.3A.6 "Nuisance Factors," Section 6.4.3B.26., and Section 6.4.3B.48.) There are also accessory structures – such as fuel tanks – on the property that do not comply with the required setbacks and/or permitted accessory uses. (LI-Zone)

Applications for Review:

CARRIED FROM OCTOBER 22, 2015, WITHOUT FURTHER NOTICE:

App.#24-15: Neil Hemann, 347 Park Avenue, Block 1005, Lot 7 (R-15 Zone)

Proposed installation of a residential storage shed not in conformance with the required rear yard accessory setback of 10 feet. Relief is needed from Section 6.1.1B "Schedule of General Regulations." Other nonconforming issues were addressed in variance case No. 20-81.

CARRIED FROM OCTOBER 8, 2015, WITHOUT FURTHER NOTICE:

App.#16-15: Remax Integrity, 501A Springfield Avenue, Bl. 206, L. 1 (DD Zone)

Proposed new ground sign, 2' x 2' x 52" high off the ground. The carved PVC sign will contain the company name and logo. Relief is needed from Section 5.4.2.DD of the ordinance which allows for façade signs only and prohibits ground signs. On July 16, 2013, the business was issued zoning approval to install one façade sign, a window sign and a message sign on each of the two existing ground signs located at the entry drives to the complex. All of these signs have been installed.

CARRIED FROM OCTOBER 22, 2015, WITHOUT FURTHER NOTICE:

App.#9-15: 569 Springfield Avenue, LLC, 569 Springfield Ave., Bl. 610, L. 8 (HB-3 Zone)

The applicant appeared before the Board earlier this year but put the application on hold to develop a revised plan. The new proposal is for preliminary and final site plan approval of 7 residential 2-story townhouse units, split between two buildings. (The existing single family dwelling will be demolished.) Relief is needed from Section 6.3.3(A)(4)(c) relating to an increase in density and Section 11.1.2B relating to parking spaces (14 spaces proposed compared with 16 required). A bulk variance under Section 6.1.1B is also needed due to insufficient rear yard setback (of the rear set of townhomes).

Adoption of Resolutions:

App.#22-15: Lillian Court Assoc.LLC, Mountain Avenue, Block 3303, Lot 12 (R-20 Zone)

Proposed construction of a new single family house on this nonconforming vacant lot. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient side yard and combined side yard setbacks. In addition, "other coverage" would exceed the 10% maximum allowed, and "total lot coverage" would exceed the 25% allowed. Nonconforming issues are lot area and lot width.

App.#23-15: Georgene Granholm, 49 Shadow Lane, Block 504, Lot 64 (R-15 Zone)

Application for hot tub on an existing deck. Relief is needed from Section 3.1.8. "Decks" of the Municipal Land Use Procedures Ordinance which prohibits hot tubs from being located on any exterior deck. Nonconforming issues are lot area, lot width, principal front yard setback, other lot coverage, total lot coverage, existing shed size and existing shed accessory setbacks.

Adoption of Minutes:

October 22, 2015

Adjournment:

Connie Valenti, Secretary